

PHYSICIAN ASSISTANT COMMITTEE

MINUTES

February 6, 2008
Hilton Los Angeles Airport
Carmel Room, Second Floor
5711 West Century Blvd.
Los Angeles, CA 90045

8:30 a.m. - 4:00 p.m.

1. Call to Order by Chairman

Chairman Sachs called the meeting to order at 8:37 a.m.

2. Roll Call

Staff called the roll. A quorum was present.

Committee Members Present: Robert Sachs, PA
Cristina Gomez-Vidal Diaz
Steve Klompus, PA
Shaquawn D. Schasa
Shelia Young
Reginald Low, M.D.
Rosslyn Byous, PA

Committee Members Absent: None

Staff Present: Elberta Portman, Executive Officer
Kurt Heppler, Staff Counsel, Dept. of Consumer Affairs
Dianne Tincher, Enforcement Analyst

3. Introduction of New Committee Members

Mr. Sachs introduced two new members recently appointed to the Committee, Reginald Low, M.D., a member of the Medical Board of California, and Rosslyn Byous, PA, an educator with the University of Southern California.

Mr. Sachs presented plaques to former members Lorelei Sun, PA-C, and Tina Melendrez-Meyer, PA, for their years of service. Ms. Melendrez-Meyer was not able to attend the presentation.

4. **Approval of Minutes – November 8, 2007 Meeting**

The November 8, 2007 minutes were approved with minor modifications.
(m/s/c Diaz/Young)

5. **Reports**

a. Chair's Report

Mr. Sachs extended his appreciation to members of the AB 3 Task Force for their accomplishments with this project. Mr. Sachs welcomed the two new members to the Committee and also noted that the Department's Board Liaison, Antonette Sorrick, is leaving to become the Executive Officer of Guide Dogs for the Blind. Mr. Sachs thanked Ms. Sorrick for her assistance with Committee member appointments.

b. Executive Officer's Report

Ms. Portman reported on the relocation of the Committee's office to the new location on Evergreen Street. Ms. Portman stated that the Department of Consumer Affairs informed her that the scheduled move date is March 14, 2008.

Ms. Portman reported that the Spanish language consumer information brochure entitled "What is a PA" has been updated to reflect the profession-accepted translation of physician assistant, which is "asociado medico." The brochure has been printed and is also available on the website.

Other changes to the website include a new email subscription service that will allow information about the Committee to be sent to subscribers via email. The website also contains information about changes to the Physician Assistant Practice Act as a result of Assembly Bill 3.

Ms. Portman reported that the Medical Board had the hearing on the delegation of services regulation at the February 1, 2008 meeting. The California Academy of Physician Assistants and California Medical Association gave their support for this regulatory change. Staff of the Medical Board of California will submit the rulemaking file to the Office of Administrative Law for their review.

The contract to produce credit card style pocket identification cards for licenses has been sent to the Department of Consumer Affairs for processing. It is anticipated that the new plastic identification cards will be in production within three or four months.

c. Licensing Program - activity report

Ms. Portman stated that between October 1, 2007 and January 1, 2008, 180 licenses were issued, and 4 interim approvals were issued. As of January 1, 2008, 6,704 licenses have been issued, with a total of 155 approved programs.

d. Diversion Program - activity report

As of January 1, 2008, the Diversion Program has 14 participants, four of whom are voluntary participants and 10 are PAC referrals. There have been 70 participants since implementation of the Diversion Program.

e. Enforcement Program - activity report

Ms. Tinchler referred to Item 6 of the agenda, and reported that between July 1, 2007 and December 31, 2007, there were 57 complaints pending, 39 pending investigations, 38 current probationers, and 23 pending cases at the Attorney General's Office.

6. **Strategic Plan Review**

Mr. Sachs appointed Christina Gomez Vidal-Diaz, Shelia Young, and Rosslyn Byous to review and update the Strategic Plan. They will report back at the next meeting on the progress of this project.

7. **Report from Assembly Bill 3**

The Committee discussed the implementation of Assembly Bill 3. It was noted that a Task Force meeting was held December 19, 2007, and the Task Force held a teleconference meeting on January 25, 2008, to determine the course criteria and requirements for the controlled substances education course mandated by Assembly Bill 3.

8. **Discussion of Implementation of Assembly Bill 3**

Mr. Sachs gave the background for Assembly Bill 3, which was introduced by Assemblymember Karen Bass and became law on January 1, 2008. Ms. Portman reported on the notification to licensees about Assembly Bill 3, which includes information posted on the website.

9. **Consideration of Proposed Regulation Adoption and Amendment Regarding Assembly Bill 3 Course Requirements for Schedule II-V Controlled Substances and the Prescribing Thereof**

Mr. Sachs thanked the Task Force members for their work on the project. Mr. Heppler suggested the Committee should promulgate the regulation because Assembly Bill 3 changed the physician assistant scope of practice. The Committee discussed the number of hours for the course, content, structure, and time frame for the course and examination, and it was determined that the course should be six hours of instruction with a separate examination after completion of the course. Mr. Sachs noted that at this time the course would be a stand-alone course.

A motion was made to set the course requirements with modifications for Assembly Bill 3 for hearing at the May 1, 2008 meeting as amended. (m/s/c Low/Klompus.)

A motion was made to accept the Assembly Bill 3 Task Force Teleconference Meeting minutes of January 25, 2008. (m/s/c Klompus/Young.)

10. **Update and Discussion Concerning Possible CME Legislative Requirements for California Physician Assistants**

Ms. Portman reported that she recently met with staff from Assemblymember Bass' office regarding the CME legislative proposal. The proposal was taken to the Legislative Counsel for consideration.

11. Consideration of Proposed Regulatory Amendment to Section 1399.571 Citations

Mr. Heppler reported to the Committee that one of the options available for enforcement actions is the issuance of a citation and fine. Discussion ensued about raising the fine amount maximum of \$2,500 to \$5,000 and to change the regulation to add additional citable offenses to the regulation. The Committee discussed the changes to the citation regulation including increasing the maximum citation amount for certain offenses to \$5,000. Motion to amend with modifications by staff to include “children under 18” as cause for the increased fine amount, and other sections. (m/s/c Byous/Low.)

12. Consideration of Legislative Proposal to Repeal Interim Approval for Applicants

Discussion ensued about the previous need for interim approvals for applicants that have graduated from their training program and are scheduled to take the PANCE examination. Currently, applicants have up to six months to practice on interim approval until they are required to take the PANCE. Because the national examination is given continuously, it appears that the interim approval may no longer be necessary. A motion was made to seek legislation to eliminate interim approvals. (m/s/c Klompus/Gomez)

13. Report on Pending Legislation: ABX 11, AB 638

Mr. Sachs reported on pending legislation, noting that ABX 11 is the Governor’s health reform bill and that the bill is in the Committee on Health, and that the loan repayment bill, AB 638, is in the Assembly Appropriations Committee.

14. Discussion and Update related to Disciplinary Guidelines

Ms. Portman reported that the Disciplinary Guidelines have moved out of State and Consumer Services Agency and are now at Department of Finance.

15. Discussion Regarding Physician Assistant Committee 2008 Meeting Dates

Carrie Lopez, Director of the Department of Consumer Affairs is preparing to have an all-board meeting in November 2008. The Committee agreed to hold the May and August meetings in Sacramento, then hold the November meeting in conjunction with the all-board meeting in November 2008.

16. Items for Next Meeting

Strategic Plan
AB 3 Implementation Update
CME Update
Citation and Fine Regulation Hearing
Disciplinary Guidelines Regulation Change Update
Possible Enforcement BCP
Report from the AB 3 Task Force
Legislation update RE: Bills of Interest to the Committee
Regulations
Internet – Distribution of Laws and Regulations to Licensees
Discussion about the Approval of Supervising Physician

17. **Public Comment on Items Not On The Agenda**

There was no public comment received.

18. **CLOSED SESSION:** Pursuant to Section 11126(c) (3) of the Government Code, the PAC moved into closed session to deliberate on disciplinary matters.

19. **Meeting adjourned at 2:30 P.M.**